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97TH CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
2d Session } { No. 97-716

COMPLETED

OK-BOON-KANG

AUGUST 10, 1982.—Committed to the Committee of the Whole House and ordered to be printed

Mr. FISH, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H.R. 684]

The Committee on the Judiciary, to whom was referred the bill (H.R. 684), for the relief of Ok-Boon-Kang, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

On line 5, delete "(F)" and insert in lieu thereof "(E)".

On line 7 and 8, delete ", pursuant to section 204 of such Act".

Amend the title so as to read: "For the relief of Ok-Boon Kang".

PURPOSE OF THE BILL

The bill would facilitate the adjustment of status in the U.S. of the prospective adoptive child of U.S. citizens. The amendments are conforming in nature.

STATEMENTS OF FACT

The beneficiary is a 20 year old native and citizen of Korea who was orphaned at an early age. She resided in an orphanage in Korea and was placed in the foster home of Mr. and Mrs. Cornyn for one year until the foster parents left that country in 1981 due to reassignment with the U.S. Army. She entered the U.S. March 24, 1982 as a visitor for medical treatment. The prospective adoptive parents have 5 other Korean children who were adopted, ages 11, 3, 2, 2, and 1, as well as three natural children, ages 19, 10, and 1. Mr. and Mrs. Cornyn have assets of $50,000 and Mr. Cornyn earns $24,000 as a CW3 in the U.S. Army.

The pertinent facts in this case are contained in a letter dated November 23, 1981 from the Commissioner of the Immigration and Naturalization Service to the Chairman of the Committee on the Judiciary

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regarding this legislation. That letter and accompanying memorandum read as follows:

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., November 23, 1981.

Hon. PETER W. RODINO, Jr.,
Chairman, Committee on the Judiciary, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H.R. 684) for the belief of Kang Ok Boon, there is attached a memorandum of information concerning the beneficiary.

The bill would provide that the twenty-year-old beneficiary, who is to be adopted by Robert J. and Linda L. Cornyn, United States citizens, may be classified as a child and granted immediate relative status. The bill further provides that the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Absent enactment of the bill, the beneficiary, a native of Korea, would be chargeable to the nonpreference portion of the numerical limitation for immigrants.

Sincerely,

DAVID DIXON,
Executive Director
(For the Commissioner).

Enclosure.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE H.R. 684

The beneficiary, Kang Ok Boon, whose true name is Ok-Boon Kang, a native and citizen of Korea, was born on August 15, 1961. She now resides with Father Alfred V. Keane in Inchon City, Korea. The beneficiary is the offspring of a Korean mother and putative American father. Her mother is dead and all contact with her father was lost prior to her birth. She has no known blood relatives living.

The prospective adoptive parents and interested parties, Robert J. Cornyn and Linda L. Cornyn, are both United States citizens residing at Fort Rucker, Alabama. Mr. Cornyn is a CW3 in the United States Army with an annual salary of $24,379. He also lists an income of $3,000 from rental property located in Michigan. Assets include a house and two lots in Michigan valued at about $45,000, three lots in Florida valued at about $27,000, a 1977 GMC van worth $5,000, a 1977 Honda Civic worth $2,500, and a 1973 Yellow Stone Trailer worth $3,000. Outstanding indebtedness includes $8,500 on the house and lots in Michigan and a home improvement loan in the amount of $2,000.

Mrs. Cornyn lists herself as a housewife who shares assets and debts jointly with her husband.

The interested parties have adopted five other Korean children whose dates or birth are November 12, 1970, June 23, 1978, June 18, 1979, July 4, 1979, and September 3, 1980. The

beneficiary also resided with the interested parties for one year in Korea.

On December 1, 1981 the Department of State submitted a report with supplemental information which reads as follows:

DEPARTMENT OF STATE,
Washington, D.C., December 1, 1981.

Hon. PETER W. RODINO, Jr.
Chairman, Committee on the Judiciary,
House of Representatives

DEAR MR. CHAIRMAN: I refer to your request for a report concerning the case of Ok-Boon-Kang, beneficiary of H.R. 684, 97th Congress.

The United States Embassy at Seoul, Korea, where the beneficiary resides, has reported the following interim information.

The beneficiary, Ok-Boon-Kang, was born on August 15, 1961 in Korea of a Korean woman and an unidentified American soldier. She is single and resides at the St. Vincent's Home for Amerasians, an orphanage run by the Maryknoll order under the direction of the Reverend Alfred V. Keane. The whereabouts of the beneficiary's mother, who abandoned her daughter when she was approximately six years of age is unknown.

An official of the St. Vincent's home for Amerasians has indicated that after the beneficiary's mother abandoned her, she moved from guardian to guardian but was unwanted by any of them because of her mixed parentage. She managed to attend school until the junior high level but dropped out because of harassment from the students and teachers who could identify her as part caucasian child. She then went to a home operated by the Good Shepherd Sisters before being taken in by the St. Vincent's Home. A home was finally located for her with the Cornyn family with whom she lived for eighteen months. During this period she was recognized as a military dependent and attended the Department of Defense School at Yongsan, Seoul. Ok-Boon returned to the Amerasian home when the Cornyn's were unable to petition for her as their adopted child. The beneficiary would be exempt from chargeability to a foreign state's limitation if classified as an adopted orphan.

The Embassy has no reason to believe that there is any derogatory information in the beneficiary's police files, however a check has been initiated and the results will be submitted as soon as they are received at the Embassy.

The beneficiary underwent a medical examination on August 16, 1981 and was found to have a congenital heart defect (ventriculoseptal defect) for which a catheterization was recommended by the examining physician.

Sincerely,

RICHARD FAIRBANKS,
Assistant Secretary for Congressional Relations.

APRIL 1, 1982.

Hon. PETER W. RODINO, Jr.,
Chairman, Committee on the Judiciary,
House of Representatives.

DEAR MR. CHAIRMAN: In further reference to the case concerning Ok-Boon-Kang, beneficiary of H.R. 684, 97th Congress, the Embassy

has advised that police clearances results contain no derogatory information concerning the beneficiary.

With cordial regards,

Sincerely,

POWELL A. MOORE,
Assistant Secretary for Congressional Relations.

Mr. Lehman, the author of the bill, provided the following statement in support of this legislation.

HOUSE OF REPRESENTATIVES,
Washington, D.C., August 5, 1982.

Hon. ROMANO L. MAZZOLI,
Chairman, Subcommitte on Immigration, Refugees, and International Law, Rayburn H.O.B., Washington, D.C.

DEAR MR. CHAIRMAN: On Monday, August 9, the Subcommittee on Immigration, Refugees, and International Law will consider H.R. 684, a private bill I introduced on behalf of Ok-Boon-Kang, an Amerasian girl from Korea who is also known by her American name of Rosemary.

I became personally aware of the plight of the Amerasians during a visit to Korea nearly three years ago. At that time, I visited a vocational training project for Amerasian girls. The project was operated by the Good Shepherd Sisters with the help of an AID grant. The sisters also tried to arrange for adoptions of these children.

Rosemary was cared for by the Good Shepherd Sisters until she was taken in by a very generous and loving American family by the name of Cornyn. The Cornyns had already adopted other Amerasian children and they provided Rosemary with love and a sense of belonging that she had never known. She considers the Cornyns to be her family and they view her as their daughter.

Unfortunately, Rosemary's age, which was 19 at the time, prevented her from accompanying the Cornyns when they were transferred back to the United States. She was separated from her family and once again had to suffer the anxiety of being left behind.

When it was learned that Rosemary had a heart problem that could only be treated in the United States, a medical visa was obtained for her and she joined her American family now living in Puyallup, Washington. As soon as she has her operation, however, she will have to return to Korea unless H.R. 684 passes.

I am pleased that the Subcommittee has approved legislation to make it easier for Amerasian children to come to this country. Because the provisions are limited to children under the age of 21, however, passage of H.R. 6514 will come too late to help Rosemary. She will be 21 on August 15. I am also concerned that even if the 21 years of age limit is removed from the bill, enactment will still come too late for her to remain in this country.

I strongly urge your support for H.R. 684. Failure to approve the bill would be a crushing blow to a young lady who has already suffered greatly and deserves a chance to be happy with a family who loves her.

For your additional information, I am enclosing a Congressional Record statement containing an article about the Cornyn family as

well as an article written by Mr. Cornyn. They appeared originally in the "Pierce County Herald" in the state of Washington.

With best wishes, I am

Sincerely,

WILLIAM LEHMAN,
Member of Congress.

BUDGETARY INFORMATION

This legislation does not provide new budget authority and no estimate or comparison has been received from the Director of the Congressional Budget Office.

OVERSIGHT STATEMENT

The Committee exercises general oversight jurisdiction with respect to all immigration and nationality matters but no specific oversight is contemplated in this instance.

COMMITTEE RECOMMENDATIONS

Upon consideration of all the facts in this case, the Committee is of the opinion that H.R. 684, amended, should be enacted and accordingly recommends that the bill do pass.

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